

**SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE COUNTY OF  
DUPAGE AND THE DUPAGE RIVER/SALT CREEK WORKGROUP CONCERNING  
THE COUNTY’S PARTICIPATION IN DRSCW’S LOCAL FUNDING PROGRAM FOR  
ALTERNATE STREAM RESTORATION PROJECTS**

THIS SECOND AMENDMENT is entered into by and between the COUNTY OF DUPAGE (hereinafter the “COUNTY”), an Illinois unit of local government and body politic, and the DUPAGE RIVER/SALT CREEK WORKGROUP (hereinafter the “DRSCW”), an Illinois not-for-profit corporation, as to the COUNTY’s 2015 “Financial Commitment in Support for the DuPage River Salt Creek Workgroup Membership Fees” (C.B. Resolution PW-P-0445-15) (hereinafter the “AGREEMENT”), which was subsequently amended by the DuPage County Board in Resolution PW-R-0271-22, and which concerns the participation of the COUNTY in a DRSCW local funding program to complete alternate stream restoration projects, as described herein.

**RECITALS**

WHEREAS, DRSCW was organized in 2005 to monitor, maintain and improve stream quality in the watersheds of Salt Creek and the East and West Branches of the DuPage River; and

WHEREAS, the COUNTY has supported and participated in DRSCW as an Agency member since 2005, and since the COUNTY’s 2015 approval of the parties’ AGREEMENT; and

WHEREAS, DRSCW negotiated a special condition for inclusion in the National Pollution Discharge Elimination System (NPDES) permits of Publicly Owned Treatment Works (POTWs) discharging into the above referenced watersheds, hereinafter referred to as “DRSCW Special Condition,” which was adopted by the COUNTY in 2015; and

WHEREAS, the DRSCW Special Condition and the DuPage River Salt Creek Workgroup (DRSCW) Implementation Plan, dated April 16, 2015 (hereinafter referred to as “DRSCW Implementation Plan”), allowed the COUNTY to participate in the DRSCW local funding program to complete alternate stream restoration projects; and

WHEREAS, DRSCW negotiated an extension of the DRSCW Special Condition for an additional 3 years, based on a revision to the DRSCW local funding program and hereinafter referred to as “DRSCW Special Condition Extension 1”; and

WHEREAS, the COUNTY accepted DRSCW’s Special Condition Extension 1 and participated in the revised DRSCW local funding program, as detailed in its FIRST AMENDMENT to the AGREEMENT (Resolution PW-R-0271-22); and

WHEREAS, DRSCW has negotiated an extension of the DRSCW Special Condition and DRSCW Special Condition Extension 1 based upon the DRSCW Nutrient Implementation Plan for East Branch DuPage River, West Branch DuPage River, Lower DuPage River, and Salt Creek (Illinois), dated December 31, 2023; and hereinafter referred to as “DRSCW Special

Condition NIP Extension”; and

WHEREAS, the COUNTY and DRSCW now both desire to again amend their 2015 AGREEMENT, to extend the term of the AGREEMENT and to formalize the obligations of the COUNTY and DRSCW under said revised program;

NOW, THEREFORE, in consideration of the above stated preambles and the mutual covenants and promises hereinafter contained, the COUNTY and DRSCW formally covenant, agree, and bind themselves as follows:

**AGREEMENT TERM**

1. The term of this Second Amendment shall commence upon its execution by the parties and thirty (30) days after the receipt by DRSCW of an NPDES permit for a DRSCW Agency member owning and/or operating a POTW that contains the DRSCW Special Condition NIP Extension.
2. The term of the Parties 2015 AGREEMENT is hereby extended to, and shall expire on, December 31, 2030. In the event that NPDES Permit Number IL0031844 may be modified or renewed during the extended term of the parties’ AGREEMENT and may provide that the COUNTY is no longer obligated in said modified or renewed permit to participate in the revised DRSCW local funding program, the parties’ AGREEMENT may be terminated by COUNTY upon not less than thirty (30) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate to DRSCW.

**DUPAGE COUNTY RESPONSIBILITIES**

3. Except as otherwise provided for herein, the COUNTY agrees to remain an Agency member of DRSCW until the expiration of the AGREEMENT and to pay dues and project assessments to DRSCW as detailed below.

<b>DRSCWG Budgeted Dues &amp; Assessments for DuPage County 2026 - 2030</b>					
DuPage County	Stormwater	Public Works	Total	Public Works	Total Dues
Year	Dues	Dues	Dues	Special Assessments	Assessments
2026-2027	\$39,586	\$31,104	\$70,690	\$63,093	\$133,783
2027-2028	\$40,774	\$32,037	\$72,811	\$64,985	\$137,796
2028-2029	\$41,997	\$32,998	\$74,995	\$66,935	\$141,930
2029-2030	\$43,257	\$33,988	\$77,245	\$68,943	\$146,188

**REMAINING PROVISIONS NOT AMENDED**

4. Other than the amended term and the COUNTY’s dues & assessments obligations detailed above, all other provisions of the original AGREEMENT between by and between the COUNTY and DRSCW shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this SECOND AMENDMENT to be executed in duplicate counterparts, each of which shall be considered as an original by their duly authorized officers, this 10<sup>th</sup> day of March, 2026.

**COUNTY OF DUPAGE**

By: \_\_\_\_\_  
Chair

Attest: \_\_\_\_\_  
Clerk

**DUPAGE RIVER/SALT CREEK WORKGROUP**

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Secretary/Treasurer

Dated at Naperville, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2026